REMARKS

Claims 46-81 are pending in the application.

Claims 46-81 have been rejected.

No claims have been amended.

I. DRAWINGS

Applicant is submitting new drawings herewith.

II. DOUBLE PATENTING REJECTION

Claims 43-63 and 76-78 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of US Patent No. 6,721,410.

Applicant will submit a proper and timely terminal disclaimer to overcome this rejection in the event this rejection is the only remaining outstanding rejection of these claims.

III. REJECTION UNDER 35 U.S.C. § 102

Claims 46, 47, 51, 53-55, 59, 61-69 and 71-81 were rejected under 35 U.S.C. § 102(e) as being anticipated by Goedken (US Patent No. 6,393,423). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed.

Page 10 of 14

Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

With respect to independent Claims 46, 64, 71, 76 and 79, the Office Action bases the anticipation rejection on the following passage from Goedken:

> Many well known chat rooms and other "instant" messaging systems have many of the features of both direct and grouped messaging systems. Participants may enter "rooms" designated by topic (i.e., the address of the room). Subsequently, any and all participants may type messages which are then displayed on all other participant's screens. Similarly, participants may designate topics they are interested in by completing a personal profile. Then, other participants may contact similarly interested participants by searching a directory of potential participants. Participants wishing to engage in one-to-one conversations may enter private rooms and/or exchange e-mail addresses.

Col. 2-3, lines 58-2.

Goedken's directory of potential participants (similarly interested persons) are not associated with a particular individual. Instead, Goedken's directory of similarly interested persons is generated by selecting participants for that directory based upon the participant designating topics (in which the participant is interested) in a personal profile completed by each participant. In such cases, the participant directory is simply a list of participants who have identified certain topics in which they are interested (obtained from the completion of a personal profile). In contrast, and with respect to independent Claim 46, Applicant's invention retrieves information <u>about one or more additional individuals from memory associated with a second individual.</u> Applicant's specification discloses:

> ... Each user in the system 100 has a personal directory 20 containing the names of other people with collaborative conferencing capability.

Unlike conventional methods of matchmaking in a chat room context, user A does not rely on a computer program to pick interesting person for him or her. Instead, user A relies on user B's personal directory 20 as a starting point to find more interesting persons. User A accesses some of the information contained in directory 20 about others users with collaborative conferencing capability, with whom user B communicates. This technique is called recursive identification of individuals. The information that user A can access is limited according to permissions assigned to each record in the directory by user B . . .

Specification, page 9, lines 1-11. Therefore, Goedken does not disclose retrieving information about one or more individuals from electronic memory means associated with the second individual, as recited in independent Claim 46 (and dependent Claims 47-63). Moreover, Goedken fails to disclose retrieving information about one or more individuals from electronic memory means associated with the one person identified as likely to be interesting, as recited in independent Claim 76 (and dependent Claims 77-78).

With respect to independent Claims 64 and 71 (and dependent Claims 65-69 and 72-75), the Office Action cites the same passage in Goedken, as shown above, for the anticipation rejection. However, the cited passage of Goedken does not disclose a display for displaying in real-time a representation of persons only those persons in the virtual space room who have been defined as likely to be interesting (as recited in Applicant's Claim 64), or a display for displaying in real-time a representation of person from the virtual space room (as recited in Applicant's Claim 71).

With respect to independent Claim 79 (and dependent Claims 80-81), the Office Action similarly cites the same passage in Goedken, as shown above, for the anticipation rejection. However, this passage in Goedken does not disclose a server for (1) receiving from a first user an identification of a second user, and (2) sending information about one or more individuals from

memory associated with the second user (and assisting in communication between the first user and the one or more additional individuals).

Accordingly, the Applicant respectfully requests the Examiner withdraw the § 102(e) rejection of Claims 46, 47, 51, 53-55, 59, 61-69 and 71-81.

IV.   REJECTION UNDER 35 U.S.C. § 103

Claims 52 and 60 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Goedken (US 6,393,423). Claims 48, 49, 56 and 57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Goedken (US 6,393,423), and further in view of Leipow (US 6,148,067). Claims 50, 58 and 70 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Goedken (US 6,393,423), Leipow (US 6,148,067), and further in view of Herz (US 6,029,195). The rejections are respectfully traversed.

For the same reasons as stated above, Goedken does not disclose, teach or suggest those features of Applicant's independent Claims 46 and 64, as noted above. Therefore, the Office Action has failed to establish a prima facie case of obviousness with respect to dependent Claims 48, 49, 50, 52, 56, 57, 58, 60 and 70.

Accordingly, the Applicant respectfully requests withdrawal of the § 103(a) rejections of Claims 48, 49, 50, 52, 56, 57, 58, 60 and 70.

V. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the

Application are in condition for allowance, and respectfully requests an early allowance of such

Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this

Application, the Applicant respectfully invites the Examiner to contact the undersigned at the

telephone number indicated below or at *rmccutcheon@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this

communication or credit any overpayment to Munck Butrus Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS, P.C.

Date: ___5/14/2007___

Robert D. McCutcheon
Registration No. 38,717

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3632 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *rmccutcheon@munckbutrus.com*